

Appl. No. : 10/692,603  
Filed : October 24, 2003

### REMARKS

Applicants respectfully submit that the amendments add no new matter and are fully supported by the application as originally filed.

#### Allowable Subject Matter

Applicants note with appreciation the finding of Claims 3, 10, 16, 17, and 19 to be allowable if rewritten in independent form.

#### Claim Objections

The Examiner has objected to Claims 3, 10, 16, 17, and 19 as being dependent upon a rejected base claim. In response, Applicants have rewritten Claims 3, 10, and 19, as suggested by the Examiner.

#### Rejections for Anticipation by Pluta

The Examiner has rejected Claims 1, 2, 4-9, 11, 13-15, 18, and 20 under 35 U.S.C. §102(b) as being anticipated by Pluta (U.S. Patent Number 6,354,344).

As suggested by the Examiner, Applicants have rewritten Claim 3 in independent form including all the limitations of Claims 1 and 3, from which it had depended. Applicants submit that amended, independent Claim 3 is now in condition for allowance.

As suggested by the Examiner, Applicants have rewritten Claim 10 in independent form including all the limitations of Claims 1 and 6, from which it had depended. Applicants submit that amended, independent Claim 10 is now in condition for allowance.

Applicants have rewritten Claim 13 to include all the elements of independent Claim 1, from which Claim 13 had depended. Amended Claim 13 recites an automatic, water dispensing, filter shutoff device including a replaceable and disposable filter, the shutoff device being adapted to disable dispensing after a predetermined amount of dispensing has occurred, without interrupting dispensing from an engaged water container whereby the used filter cartridge is automatically ejected once the predetermined amount of dispensing has occurred and the used filter must first be removed and replaced with a new filter prior to engaging a new water container.

Pluta ('344) did not teach automatic ejection of a replaceable filter cartridge as part of the automatic water dispensing filter shutoff device.

Applicants submit that amended, independent Claim 13 is not anticipated by Pluta.

Applicants have rewritten Claim 15 to include all the elements of independent Claim 1, from which Claim 15 had depended. Amended Claim 15 recites an automatic, water dispensing,

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filter shutoff device including a replaceable and disposable filter, and a valve mechanism to allow air to enter the shutoff device during water dispensing and to prevent water from exiting the filter during engagement of a water container, the shutoff device being adapted to disable dispensing after a predetermined amount of dispensing has occurred, without interrupting dispensing from an engaged water container whereby the used filter must first be removed and replaced with a new filter prior to engaging a new water container.

Pluta ('344) did not teach a valve mechanism as part of an automatic water dispensing filter shutoff device. Pluta did teach vent holes in a filter cap to allow air to pass from outside the filter and into the water bottle. Pluta taught further that when a filter is installed on a bottle initially, some water can escape through the vent holes. He solved this problem by using a reduced throat diameter for the filter shutoff device. (Col. 8, lines 24-60) Pluta did not teach a valve mechanism to allow air to enter the shutoff device during water dispensing nor did he teach a valve mechanism to prevent water from exiting the filter during engagement.

Applicants submit that amended, independent Claim 15 is not anticipated by Pluta.

As suggested by the Examiner, Applicants have rewritten Claim 19 in independent form including all the limitations of Claim 18, from which it had depended. Applicants submit that amended, independent Claim 19 is now in condition for allowance.

Dependent Claims 4, 5, 7-9, 11, 13-15, and 20 each depend from one of these independent claims and therefore include all the features and limitations thereof. Furthermore, the dependent claims add further distinguishing features of particular utility. Accordingly, Applicants submit that Pluta did not anticipate these dependent claims.

**Rejections for Obviousness over Pluta in view of Nohren**

The Examiner has rejected Claim 12 under 35 U.S.C. §103(a) as being unpatentable over Pluta (U.S. Patent No. 6,354,344) in view of Nohren (U.S. Patent No. 5,674,391).

Dependent Claim 12 depends from amended independent Claim 3 and therefore includes all the features and limitations thereof. Furthermore, dependent Claim 12 adds further distinguishing features of particular utility. Accordingly, Applicants submit that this dependent claim is allowable over Pluta and Nohren.

Accordingly, Applicants respectfully submit that the pending claims are allowable over the art of record.

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### CONCLUSIONS

In view of the foregoing amendments and remarks, Applicants request entry of the amendments and reconsideration of the rejections. If some issue remains which the Examiner feels may be addressed by Examiner's amendment, the Examiner is cordially invited to call the undersigned for authorization.

Please charge any additional fees, including fees for additional extensions of time, or credit overpayment to Deposit Account No. 03 2270.

Respectfully submitted,  
The Clorox Company  
Customer No. 27019

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By: R'Sue P. Caron  
R'Sue Popowich Caron  
Registration No. 52,699  
Agent of Record  
The Clorox Company  
1221 Broadway  
Oakland, CA 94612  
(925) 425-6905

attachment: Associate Power of Attorney (37 CFR §1.34) (1 page)